STATE OF NEW YORK
CITY COURT

COUNTY OF MONROE
CITY OF ROCHESTER

THE PEOPLE OF THE STATE OF NEW YORK

NOTICE OF MOTION

-vs-

RAMONA SANTORELLI,

Defendant.

PLEASE TAKE NOTICE, that upon the annexed Affidavit of LAWRENCE L. KASPEREK, attorney for the defendant, the undersigned will move this Court, at a Criminal Term thereof, at the Rochester City Court, Public Safety Building on the 8th of July, 1986, at 2:00 p.m., or as soon thereafter as counsel may be heard for the purpose of challenging the constitutionality of PL §245.01, Exposure of a Person, which is incorporated and made a part hereof.

Yours, etc.,

EDWARD J. NOWAK
Monroe County Public Defender

BY: LAWRENCE L. KASPEREK
Assistant Public Defender
10 N. Fitzhugh Street
Rochester, New York 14614
(716) 428-5210

TO: ROBERT ABRAMS
Attorney General

c/o Eugene Welch
Assistant Attorney General

Brief

STATE OF NEW YORK
CITY COURT

COUNTY OF MONROE
CITY OF ROCHESTER

THE PEOPLE OF THE STATE OF NEW YORK

-vs-

NOTICE OF MOTION

RAMONA SANTORELLI,

Defendant.

PLEASE TAKE NOTICE, that upon the annexed Affidavit of LAWRENCE L. KASPEREK, attorney for the defendant, the undersigned will move this Court, at a Criminal Term thereof, at the Rochester City Court, Public Safety Building on the 8th of July, 1986, at 2:00 p.m., or as soon thereafter as counsel may be heard for the following Orders and additional relief:

A. That the People be required to serve upon the attorney for the defendant a Bill of Particulars, pursuant to CPL §200.95.

B. An Order prohibiting or limiting the People from questioning the defendant regarding the prior commission of specific criminal, vicious or immoral acts, which the People may or would use against the defendant should she choose to testify on her own behalf at trial, pursuant to People v. Sandoval, 34 NY2d 371.

C. An Order requiring the People to deliver to the attorney for the defendant, all evidence favorable to the defendant, pursuant to the United States Supreme Court case of Brady v. Maryland, 373 US 83.

D. An Order, pursuant to CPL §170.30 and §170.35 dismissing the Information as a violation of equal protection under Article I, §11 of the New York State Constitution.

E. An Order, pursuant to CPL §170.30 and §170.35 dismissing the Information as a violation of equal protection under the 14th Amendment of the United States Constitution.

F. An Order, pursuant to CPL §170.30 and §170.35 dismissing the Information as vague and overbroad, under Article I, §§6 and 8 of the New York State Constitution.

G. An Order, pursuant to CPL §170.30 and §170.35 dismissing the Information as vague and overbroad under the First and Fifth Amendments of the United States Constitution.

H. An Order, pursuant to CPL §170.30 and §170.35 dismissing the Information as a denial of free speech under Article I, §8 of the New York State Constitution.

I. An Order, pursuant to CPL §170.30 and §170.35 dismissing the Information as a denial of free speech under the First Amendment of the United States Constitution.

J. An Order, pursuant to CPL §170.30 and §170.35 dismissing the Information as a denial of fundamental rights under the Ninth Amendment of the United States Constjtution.

K. An Order permitting renewal of all motions.

L. A hearing and taking of testimony relative to the aforementioned matters when said hearing would be appropriate to protect the rights and interests of all parties hereto.

M. Such other and further relief as to this Court may seem just and proper.

DATED: Rochester, New York
July 7, 1986

Yours, etc.,

EDWARD J. NOWAK
Monroe County Public Defender

BY: LAWRENCE L. KASPEREK
Assistant Public Defender
10 N. Fitzhugh Street
Rochester, New York 14614
(716) 428-5210

TO: HOWARD R. RELIN, ESQ.
Monroe County District Attorney